

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MMA FIGHTER MANAGEMENT, INC.,

Plaintiff,

-against-

BALLENLEE GROUP, LLC, and LLOYD
PIERSON.

Defendants.

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X

ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs, MMA Fighter Management, Inc., an athlete management and services business with its principal place of business in New York, sues defendants, Ballengee Group, LLC (“Ballengee”), an athlete management business based in Texas, and Lloyd Pierson, a principal of Ballengee. The alleged jurisdictional basis is diversity of citizenship, pursuant to 28 U.S.C. § 1332.

For diversity purposes, a corporation is deemed to be a citizen of all states in which it is incorporated and the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). Plaintiff has failed to identify the states in which it is incorporated for purposes of determining citizenship. Limited liability companies are deemed to be citizens of all the states in which their constituents are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51 (2d Cir. 2000) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990)); *see also Americold Realty Tr. v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1014 (2016) (“While humans and corporations can assert their own citizenship, other entities take the citizenship of their members.”). Plaintiff has failed (i) to allege the citizenship of defendant Pierson and (ii) to identify any other members of Ballengee and to allege their citizenship.

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The complaint is dismissed, with leave to replead an adequate basis of complete diversity of citizenship no later than 30 days from this order.

SO ORDERED.

Dated: December 16, 2019
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge